

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – May 8, 2009
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:02 a.m., recessed at 10:14 a.m., reconvened at 10:35 a.m. and adjourned at 12:15 p.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Commissioners Absent: None

Advisors Present: Mehnert (OCC); Sinsay (DPW)

Staff Present: Baca, Beddow, Campos, Chan, Farace, Gibson, Giffen, Lubich, Maxson, Murphy, Muto, Ramaiya, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of February 27, 2009

Action: Beck - Brooks

Approve the Minutes of February 27, 2009.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance

F. Formation of Consent Calendar

Administrative:

G. Director's Report:

- **Results of Board of Supervisors Hearing(s) on Items Previously Considered by the Planning Commission (Gibson)**

Open Space Easement Signage Language (continued from the meeting of April 24, 2009): Proposal to amend standard language pertaining to open space signage.

Action: Pallinger - Riess

Accept Staff's proposed amendments to language contained in standard conditions pertaining to open space signage.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

Service First Initiative Update: Staff's report and presentation will include an update on DPLU's past six months.

During the past six months, Staff has met and exceeded the goals established for this period, including creating a development review team, improving the pre-application process, implementing a comprehensive customer service program, and enhancing online services to increase customer options. Staff has also co-located Staff involved in the land-development process, combined the DPLU and DPW Watershed teams and DPW and DPLU counter staff, co-located the Transportation Planning and Traffic Engineering Plan Review groups, and is evaluating the feasibility of co-locating some of the DEH and Parks and Recreation land-development functions in DPLU. In addition, Staff has made a series of organizational changes to ensure a more customer-centric approach. Staff is currently resolving issues related to the Traffic Impact Fees, and DPW Staff presented an ordinance to the Board of Supervisors that will ensure the fees are more realistic and reasonable.

Planning Commission Policy PC-2, Agenda Item 1:

1. **Amendments to Planning Commission Policy PC-2, Planning Commission Procedural Rules for Conduct of Zoning and Planning Hearings**
(continued from April 24, 2009)

This item proposes minor revisions to Planning Commission Policy PC-2 pertaining to. Amendments consists of revisions to submission of writings to the Planning Commission by now allowing submissions two days prior to the Planning Commission hearing, clarification on the matter of continuance of public hearings, and other minor changes.

Staff Presentation: Farace

Proponents: 0; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Day

Approve Staff's proposed revisions to Planning Commission Policy PC-2, including revisions to deadlines on the submittal of writings to the Planning Commission.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

General Plan Update Status Report, Agenda Item 2:

2. General Plan Status Update, Countywide

This is an informational item to provide a report on the progress that has been made on the General Plan Update since May 2008. Additionally, it presents major issues associated with the project that have been identified and provides an opportunity for the public and Planning Commission to provide comments on the project as it progresses.

Staff Presentation: Muto

Proponents: 0; **Opponents:** 2

Staff has met and exceeded all the established goals for the past six months, and is on track to present the General Plan Update recommendations to the Board of Supervisors in the Fall of 2010. Those recommendations will include Policy and Ordinance changes to ensure consistency with the General Plan.

Following several questions and comments from the Planning Commission, Staff expounds on Conservation Subdivisions, a topic that has come up frequently during Planning Commission hearings. This concept is intended to encourage compact residential design or clustered development, and allow preservation of open space areas, natural resources and/or agriculture. Staff recently presented the advisory groups with more detailed information on the amendments required to enact the concept, as well as a rural subdivision design and processing manual. The Update Steering Committee remains adamant that clustering should not be allowed by-right, and the current draft reflects this direction.

Most community representatives want assurances that the character of their communities will remain unchanged, and Staff has sought to provide that assurance. On the other hand, a few of the stakeholders believe this will interfere with implementation of the updated General Plan, especially with respect to conservation subdivisions. Staff, while considering some minor changes, believes the objective of maintaining consistency with community character creditable. Staff believes conservation subdivisions can be developed in a manner consistent with community character through careful design and collaboration with community representatives.

General Plan Update Status Report, Agenda Item 2:

Commissioner Beck encourages Staff to address all the ancillary issues that will benefit communities and their residents when Staff participates in discussions about conservation subdivisions. These benefits include improved infrastructure, emergency services, compatibility with community character and compliance with AB 32 (referred to as the California Global Warming Solutions Act of 2006). Staff is currently preparing revisions to the various Community Plans, and they will be ready for public review with the General Plan EIR. Staff will ensure that the Community Plans are consistent with the proposed General Plan, but those Plans requiring more extensive changes will follow the Update.

Staff explains that concerns continue to arise regarding proposed changes in land use designations that will result in lower densities than currently exist on certain properties. While sensitive to those concerns (unfair property takings, inaccurate information, economic failure of communities, loss of tax revenue, etc.), Staff has researched these points and determined that no concerns have been identified that warrant a change in the overall project approach. Staff also continues to receive inquiries regarding equity mechanisms associated with the General Plan Update. Many individuals and some community group representatives have indicated that their previous support of the proposed downzoning was based on the understanding that a broader equity mechanism would be developed. However, per the Board of Supervisors' previous approval, the only equity mechanism currently being pursued is a purchase of a development rights program for agricultural lands.

Staff informs the Planning Commission that the State legislature, in 2008, passed SB 375. This Bill requires the California Air Resources Board to develop regional greenhouse gas emission reduction targets for cars and light truck sectors for 2020 and 2035. Regional planning organizations in California will prepare "sustainable communities" strategies for reducing vehicular miles traveled in their respective regions and methods for reaching those targets. Speculations have been voiced that SB 375 will or could affect the General Plan Update, but at this time there is no indication that the General Plan Update will require modification. Staff is working with SANDAG, and monitoring the implementation of SB 375, and will advise the Board of Supervisors if revisions are necessary. SANDAG is not expected to release their draft sustainable communities strategy until late 2010.

General Plan Update Status Report, Agenda Item 2:

Staff addresses Plan Amendment Authorizations in response to questions from the Planning Commission, and explains that they will continue to be recommended for denial if they are not consistent with the proposed General Plan. Staff also informs the Commission that no changes are proposed to the Circulation Element, except for the change to No. 3A in Valley Center; however, Staff might recommend that some roads be considered for upgrades in the future. Any proposed changes will be brought back to the Planning Commission prior to presentation to the Board of Supervisors.

A few of the audience members insist that the proposed Update recommendations are no different than those contained in the 2020 Update proposal, and remind the Planning Commission that there has been a complete paradigm shift since that time. They strongly disagree with some of Staff's comments regarding density and density loss in the Back Country, and believe Staff's recommendations will destroy their communities.

Others speakers today don't believe the General Plan Update adequately addresses the existence of tribal lands, the uses on those lands and how they impact County land uses, services and roads adjacent to them. They urge the Planning Commission and Staff to remember that the land uses within the County's jurisdiction influences uses on tribal lands and vice-versa. These speakers remind the Commission that tribal lands encompass a significant amount of acreage, and advise Staff to consider their impact and densities during the General Plan Update. Several of the Planning Commissioners agree that this issue warrants further discussion, as does the issue of conservation subdivisions, and ensuring consistency with the characters of the various communities. They recommend that Staff return with more frequent status reports on the Update's progress.

SPA 08-002, SPA 08-004, P85-064W⁵,
P85-084W⁶, P08-025 and AD 08-022,
Agenda Item 3:

3. Rancho Santa Fe Tennis Complex, Specific Plan Amendments (SPAs) 08-002 and 08-004, Major Use Permit P85-064W⁵, Major Use Permit Modifications P85-084W⁶, P08-025, Administrative Permit (AD) 08-022, San Dieguito Community Plan Area

The project is a request for the development of a tennis complex that would include five tennis courts, a clubhouse building, extension of a trail, parking, gated entry (AD 08-022), and other recreational facilities. Amendments to the Santa Fe Creek Specific Plan (SPA 08-002) and The Bridges at Rancho Santa Fe Specific Plan (SPA 08-004), and Modifications to previously approved Major Use Permits (P85-064W⁵/P85-084W⁶) are required in order to accommodate the changes for the proposed tennis complex. This authorization is also to abate a code violation for the construction of a portion of the tennis courts without required permits. The proposed tennis complex is located on Calle Messina at Via de Las Flores and the club tournament parking and staging area is located at The Bridges Clubhouse, 18550 Seven Bridges Road, Rancho Santa Fe, in the San Dieguito Community Plan Area.

Staff Presentation: Beddow

Proponents: 26; Opponents: 4

Note: Commissioner Beck announces that he will not be participating in this hearing.

Discussion:

Staff provides a brief presentation on this proposal, informing the Planning Commission that the applicant proposes to eliminate four residential lots to accommodate the project. It is not anticipated that any special events that might occur will result in additional impacts. The applicant's representative informs the Planning Commission that the proposal has received overwhelming support from neighboring property owners, reminding the Commission that the proposed tennis complex is within the existing development footprint, and will result in less impact on biological resources. To alleviate concerns about possible noise impacts, the applicant will construct a sound wall on the northern project site boundary. The applicant also proposes to provide a critical trail connection.

SPA 08-002, SPA 08-004, P85-064W⁵,
P85-084W⁶, P08-025 and AD 08-022,
Agenda Item 3:

Project opponents inform the Planning Commission that there are unlit tennis courts in the neighborhood. They insist that the proposed tennis complex location contains some of the best and highest functioning biological habitat in the County, and voice concerns about intrusive lighting and possible impacts on community character. The applicant's representative explains that the proposed lights are on timers and will be shielded on four sides to ensure that they only illuminate the tennis court being uses.

Following public testimony, Commissioner Riess announces that he does not believe increased traffic will result from implementation of the proposal, explaining that most traffic would occur during non-peak hours. Commissioner Norby assures the project opponents that the proposal will not result property value impacts, but will actually be an amenity. Chairman Woods concurs, noting that 22 of the 23 homeowners nearest the proposed complex have voice support for it.

Action: Brooks - Pallinger

1. Find that the Planning Commission has reviewed and considered the information contained in the Santa Fe Creek EIR dated September 29, 1993, the Bridges Final EIR dated August 26, 1986, the Final Supplemental EIR for The Bridges at Rancho Santa Fe dated December 14, 2007 and Addendum thereto dated May 8, 2009, and determines that these documents constitute adequate environmental review of the project; and
2. Recommend that the Board of Supervisors:
 - a. Adopt the Resolution approving the amendment (SPA 08-002) to the Canyon Creek (The Bridges at Rancho Santa Fe) Specific Plan to make the appropriate findings and include those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and the County General Plan;
 - b. Adopt the Resolution approving the amendment (SPA 08-004) to the Santa Fe Creek Specific Plan to make the appropriate findings and include those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and the County General Plan;

SPA 08-002, SPA 08-004, P85-064W⁵,
P85-084W⁶, P08-025 and AD 08-022,
Agenda Item 3:

- c. Grant Major Use Permit P08-025, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law;
- d. Grant Major Use Permit Modification P85-064W⁴, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law;
- e. Grant Major Use Permit Modification P85-084W⁵, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law; and
- f. Grant Administrative Permit AD 08-022, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes: 6 - Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 1 - Beck
Absent: 0 - None

P08-006, Agenda Item 4:**4. Otay Monarch Tank Wireless Telecommunications Facility, Major Use Permit P08-006, Valle de Oro Community Plan Area**

This is a request for a Major Use Permit to authorize the construction and operation of an unmanned wireless facility at 1697 Burris Drive in the Valle De Oro Community Plan Area. The facility consists of 12 panel antennas facade mounted to an existing 34' tall water tank. Associated equipment consists of 4 outdoor equipment cabinets enclosed within a 9' tall Concrete Masonry Unit (CMU) block wall painted dark tan to blend with surrounding hillside. The project will occupy 465 square feet of the 1.06-acre parcel. The project site is subject to the 1.3 Estate Development Area (EDA) General Plan Regional Category and (17) Estate Residential General Plan Land Use Designation, and is zoned A70 (Limited Agriculture).

Staff Presentation: Lubich

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Brooks

Grant Major Use Permit P08-006, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P08-011, Agenda Item 5:**5. Harmony Grove Wireless Telecommunications Facility, Major Use Permit P08-011, North County Metro Subregional Plan Area**

Requested Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility at 2601 Kauana Loa Drive in the North County Metro Community Planning Area. The facility will consist of mounting 12 panel antennas and one microwave dish antenna to an existing 105' tall San Diego Gas and Electric lattice tower. Associated equipment will consist of indoor equipment cabinets located within a 12' x 16' x 10' prefabricated equipment shelter with two air conditioning units mounted to the equipment shelter. The proposed equipment shelter and air conditioning units will be enclosed by an 8' tall concrete masonry unit wall. The project will occupy 750 square-feet of the 3.98-acre parcel. The project site is subject to the 1.1 Current Urban Development Area (CUDA) General Plan Regional Category and the (1) Residential General Plan Land Use Designation, and is zoned A70 (Limited Agriculture).

Staff Presentation: Lubich

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Brooks

Grant Major Use Permit P08-011, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P08-008, Agenda Item 6:

6. Ramona San Diego Country Estates Water Tank Wireless Telecommunications Facility, Major Use Permit, P08-008, Ramona Community Plan Area

Requested Major Use Permit to allow construction and operation of an unmanned wireless telecommunication facility 23401 Calistoga Place. The facility includes 12 panel antennas mounted on an existing water tank. Associated equipment will consist of Base Transceiver Station equipment cabinets, a telco splice box, and a generator connection that will be enclosed by an 8' tall stepped-down concrete masonry unit wall. No generator is proposed at this time. The project will occupy 358 square-feet of the 165-acre parcel. The project site is subject to the Current Urban Development Area (CUDA) Regional Land Use Element, the (3) Residential Land Use Designation, and is zoned RR2 (Rural Residential).

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Brooks

Grant Major Use Permit P08-008, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P08-009, Agenda Item 7:

7. Jamul Water Tank Wireless Telecommunications Facility, Major Use Permit, P08-009, Jamul/Dulzura Subregional Plan Area

Requested Major Use Permit to authorize the construction and operation of an unmanned wireless facility at 13635 Bear Mountain Way. The facility includes 12 panel antennas mounted on an existing water tank. The associated equipment will consist of four outdoor equipment cabinets and will be enclosed by an 8-tall concrete masonry unit wall. The project will occupy 400 square-feet of the 1.08-acre parcel. The project is subject to the Estate Development Area (EDA) Regional Land Use Element, the (17) Estate Residential Land Use Designation, and is zoned A70 (Limited Agriculture).

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Brooks

Grant Major Use Permit P08-009, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P08-021, Agenda Item 8:

8. Otay Campo Water Tank Wireless Telecommunications Facility, Major Use Permit, P08-021, Valley de Oro Community Plan Area

Requested Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility at 12118 Campo Road. The facility includes 11 antennas that will be mounted on an existing water tank. The associated equipment will consist of 4 outdoor equipment cabinets and will be enclosed by an 8' tall concrete masonry unit wall. The project will occupy 400 square-feet of the 3.74-acre parcel. The project is subject to the Current Urban Development Area (CUDA) Regional Land Use Element, the (21) Specific Plan Land Use Designation and is zoned S90 (Holding Area).

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Brooks

Grant Major Use Permit P08-021, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P08-021, Agenda Item 8:

H. Report on actions of Planning Commission's Subcommittees:

No reports.

I. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

Chairman Woods and Commissioner Riess will represent the Planning Commission at the May 13, 2009 presentation to the Board of Supervisors on the General Plan Update. Commissioners Day and Pallinger will represent the Planning Commission during the Board of Supervisors May 13, 2009 consideration of Lago de San Marcos (recommended for approval by Planning Commission on March 13, 2009).

J. Discussion of correspondence received by the Planning Commission:

There was none.

K. Scheduled Meetings:

May 22, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 5, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 7, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 21, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 2, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

Administrative:

October 16, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 30, 2009	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room
November 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 18, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 12:15 p.m. to 9:00 a.m. on May 22, 2009 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.